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Agenda item 62
Question of Cyprus

Security Council
Fifty-sixth year

Letter dated 28 November 2001 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 28 November 2001, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(*Signed*) Ümit **Pamir**
Ambassador
Permanent Representative

01-67240 (E) 041201

Annex to the letter dated 28 November from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to refer to the statements made by representatives of the Greek Cypriot administration to the Third Committee on 19 October and 13 November 2001, under agenda items 112, "Advancement of women", 113, "Implementation of the outcome of the Fourth World Conference on Women and of the special session of the General Assembly, entitled 'Women 2000: gender equality, development and peace for the twenty-first century'", and 119 (b), "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms", respectively. Since the above statements contain unfounded allegations against my country and distort facts pertaining to the Cyprus issue, it is my duty to respond to these assertions in writing.

Greek Cypriot representatives have referred to the Turkish Republic of Northern Cyprus as "occupied areas" and "a subordinate local administration". Firstly, the only occupation in Cyprus is the usurpation of the title of the "government of Cyprus" by the Greek Cypriot side since 1963. For eleven years between 1963-1974, Turkish Cypriots were persecuted and subjected to ethnic cleansing by the usurper regime under the Greek Cypriot leadership. It should be kept in mind that the attempted forcible annexation of Cyprus by Greece in 1974 was reversed by the timely intervention by Turkey carried out in July 1974 in accordance with its rights and obligations under the 1960 Treaty of Guarantee. Ever since the Turkish intervention, Northern Cyprus has been a sanctuary for Turkish Cypriots who had been subjected to a systematic campaign of ethnic cleansing by the Greek Cypriots. Turkish military presence in Northern Cyprus is legal in accordance with the 1960 Treaty of Guarantee and has proven to be an indispensable element of security. Therefore, any attempt to portray Northern Cyprus, the homeland of the Turkish Cypriot people, as "occupied areas" is nothing more than false propaganda. Secondly, the misnomer (i.e. subordinate local administration) used by Greek Cypriot delegates to describe the Turkish Republic of Northern Cyprus is also indicative of the chronic denial by the Greek Cypriots of the basic rights of the Turkish Cypriot people. The Turkish Republic of Northern Cyprus was established in 1983 by the Turkish Cypriot people in exercise of their inherent right to self-determination. It should be recalled, in this context, that the Turkish Cypriot people, as one of the co-founder partners of the 1960 Republic of Cyprus, were ejected by force of arms from the state machinery in 1963 and subjected to inhuman treatment and harsh restrictions between 1963 and 1974.

The Greek Cypriot representative has raised the issue of human rights violations in Cyprus. Given the historical background of the Cyprus question, the Greek Cypriots would have better refrained from talking about human rights issues. The most blatant human rights violations in contemporary Cyprus, such as the forcible displacement of populations and the imposition of inhuman restrictions on Turkish Cypriot enclaves, took place between 1963 and 1974. Those responsible for the violations were Greek Cypriots. The victims were all Turkish Cypriots.

The Greek Cypriot representative has referred to the ruling by the European Court of Human Rights in the case of the fourth "state application" by the Greek Cypriot administration. Our position vis-à-vis this ruling has already been communicated to Your Excellency. In this connection, I would like to draw attention

to the ruling of the European Court of Human Rights dated 23 May 2001, which found the Greek Cypriot administration guilty of the inhuman treatment of nine Turkish Cypriots, while held in detention, at the hands of the Greek Cypriot police in 1994. These Turkish Cypriots had been subjected to beating and brutal treatment followed by forcible expulsion from Southern Cyprus to the North. One of the Turkish Cypriots, Ilker Tufansoy, was brutally murdered after returning to Southern Cyprus two months later. No one has ever been arrested in connection with this murder. The Court has ordered the Greek Cypriot administration to pay compensation to each of the victims. It will also be recalled that, in December 2000, the Greek Cypriot administration was ordered to pay compensation to another Turkish Cypriot, Erkan Egmez, who was tortured by the Greek Cypriot police after being abducted from the United Nations-controlled buffer-zone, within which the Greek Cypriot side has no jurisdiction, and released only after a very long and tortuous ordeal in 1995.

The Greek Cypriot delegates have also shown the audacity to express "concern" about the welfare of their Turkish Cypriot "compatriots" who live in the "occupied area"! Since nobody with a brief knowledge of Cyprus history would be deceived by this display of hypocrisy, I will refrain from responding extensively. I will merely point out that if these delegates are sincerely concerned about the economic and human rights situation in Cyprus, they should first of all urge their own administration to assume full responsibility for the violation of human rights of the Turkish Cypriots since 1963, and to recognize their sovereign rights as an equal and independent nation. Moreover, they should also take action with a view to removing the inhuman embargoes on the Turkish Cypriot people, imposed by the Greek Cypriot administration, without any legal basis. Unless these are carried out, the statements of Greek Cypriot delegates on human rights will be empty and misleading rhetoric.

The Greek Cypriot representatives have in their statements alluded to the necessity to respect the rule of law and to safeguard international legality. Recent Greek Cypriot press reports have revealed a major scandal in the Greek Cypriot land registry department, involving the illegal transfer of Turkish Cypriot land and property to Greek Cypriots. The Greek Cypriot daily *Politis*, dated 30 October 2001, reported that many Greek Cypriot companies and businessmen had acquired such property throughout the island by illegal means and that around 20,000 immovable properties had changed hands over the past three years. The Greek Cypriot daily *Haravgi*, of the same date, reported the scam under the heading "Turkish Cypriot properties auctioned off".

The Greek Cypriot delegates to the Third Committee have also tried to argue that the issue of displaced and missing persons in Cyprus began in 1974 as issues affecting only the Greek Cypriot side. In fact, the issue of displaced persons came about when one quarter of the Turkish Cypriot population was displaced between 1963 and 1974 as a result of the Greek Cypriot onslaught. On the question of missing persons, the Greek Cypriot side has, from the beginning, been abusing this matter for political purposes rather than dealing with it as a humanitarian problem whose solution is long overdue. We have consistently held the view that the Committee of Missing Persons in Cyprus should be allowed to complete its mandate, in accordance with its agreed terms of reference and procedures and also with the suggestions contained in your letters addressed to the two parties in 1996. However, the Greek Cypriot side has failed to respond positively to this framework.

Finally, I would like to express the hope that the Greek Cypriot side will adopt a new approach to the Cyprus issue in the period ahead, thereby making it possible for the process of reconciliation to move forward as soon as possible.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(*Signed*) Ayaz **Plümer**
Representative
Turkish Republic of Northern Cyprus

United Nations S/2001/1140

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Letter dated 30 November 2001 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the Security Council

I am enclosing a copy of the statement of Jamaica prepared for the wrap-up session on the programme of the Security Council for the month of November 2001 (see annex).

I would be grateful if the present statement could be circulated as a document of the Security Council.

(*Signed*) M. Patricia **Durrant**
Ambassador
Permanent Representative

01-67505 (E) 031201

Annex to the letter dated 30 November 2001 from the Permanent Representative of Jamaica to the United Nations addressed to the President of the Security Council

Statement of Jamaica prepared for the wrap-up session on the programme of the Security Council for the month of November 2001

There were a number of extremely important issues before the Security Council during November 2001, which provided us with an opportunity to make considerable progress in a number of areas. Practically all regions experiencing conflict situations received the Council's attention. Conflicts in Africa, in particular Burundi and the Democratic Republic of the Congo, but also in Sierra Leone, Liberia and Angola, as well as the conflict between Ethiopia and Eritrea, received special attention from the Council. The situations in Afghanistan and in Kosovo were also given the full attention of the Council. The issue of terrorism and matters related to the humanitarian impact of conflicts were important issues on which the Council took action.

We highlight below some of the actions taken and the results achieved:

1. The Council held two important meetings on issues that have a direct bearing on the humanitarian aspects of conflicts:

(a) Children and armed conflicts;

(b) The protection of civilians in armed conflicts.

Through discussions of these issues, the Council continued the process of seeking ways to protect the most vulnerable and most seriously affected members of the civilian populations ravaged by the vicissitudes of armed conflict. The meetings brought into focus efforts being undertaken by the United Nations and its agencies to relieve the suffering of those affected and to seek ways to prevent further violations of humanitarian laws. Security Council resolution 1379 (2001) on children and armed conflicts, adopted by the Council on 20 November 2001, set out a series of actions to be undertaken by the international community and provided support to the Secretary-General for the programmes being undertaken by his Special Representative on Children and Armed Conflict and by the United Nations Children's Fund (UNICEF).

2. The high-level meetings with the Ministers of the region and affected countries on the situation in Burundi and the Democratic Republic of the Congo (Lusaka Political Committee) provided an opportunity for the Council to interact with the major actors in these regions and to share with them the Council's objectives as well as to clearly define the Council's role in furthering the peace processes. The Prime Minister of Jamaica chaired the public meeting on the Democratic Republic of the Congo as a further demonstration of the importance Jamaica places on moving the peace process forward. These meetings also provided the Council with an opportunity to hear the views of the parties and their vision of the peace processes and the region. These meetings and the actions taken by the Council (see the presidential statement on Burundi, S/PRST/2001/33, and resolution 1376 (2001) on the Democratic Republic of the Congo) provided further impetus for the advancement of the peace processes in the affected countries and in the region as a whole.

3. The Security Council's meeting with former President Nelson Mandela provided the Council with an opportunity to receive a briefing on the peace process directly from him, as facilitator, and afforded the Council an opportunity to thank Madiba Nelson Mandela for his tireless efforts in bringing peace to Burundi. As Madiba indicated, this may have been the last opportunity for the Council to be briefed by him as he was retiring as facilitator. The sentiments of the Council were expressed in its statement issued by the President (S/PRST/2001/35), the Foreign Minister of Jamaica.

4. The Security Council held very frank discussions with the Foreign Ministers of Ethiopia and Eritrea in an effort to remove obstacles to the effective operation of the United Nations Mission in Ethiopia and Eritrea (UNMEE) and to urge the parties to proceed to implementation of confidence-building measures that will advance peace between them.

5. The Security Council's public debate on the situation in Angola drew international attention to some of the remaining obstacles to peace and the efforts needed to advance the peace process in that country. It afforded the Council the opportunity to exchange views directly with the Government of Angola on possible ways to advance peace in that country, and urged the international community to give further support to efforts aimed at alleviating the humanitarian suffering of the people of Angola. The Council issued a presidential statement (S/PRST/2001/36) setting out its views on the issues.

6. The Security Council undertook a review of the effectiveness of its sanctions policy on Liberia, and examined the prevailing humanitarian situation in that country to ensure that the sanctions did not create further suffering on the people of Liberia. The situation in Liberia also was reviewed in the context of its regional implications.

7. The Security Council continued its support of the peace process in Sierra Leone through the United Nations Mission in Sierra Leone (UNAMSIL), while urging that special attention be paid to the need for appropriate funding of the disarmament, demobilization and reintegration programme. In our meeting with the Chief of the Office of Legal Affairs, members of the Council encouraged the Secretary-General to explore all possible ways to establish the special court for Sierra Leone without further delay. The Council's attention was drawn to the fact that the delays were due primarily to the lack of appropriate funding for the Court. We were pleased to learn that the Office of Legal Affairs will lead a planning mission to Sierra Leone in early 2002.

8. The Security Council kept the situation in Afghanistan under constant review during the month, with particular attention on the humanitarian situation and the possible long-term engagement of the United Nations in the resolution of the conflict and in post-conflict peace-building and reconstruction. During the course of a number of consultations of the whole, the Council examined various aspects of the issues related to Afghanistan. At its public meeting, which was chaired by the Foreign Minister of Jamaica, the Council adopted resolution 1378 (2001), approving a clear mandate for the Secretary-General to undertake initiatives for advancing the peace process and to deal with the humanitarian situation, and endorsed the efforts of the Special Representative of the Secretary-General in this regard.

9. The Security Council, in dealing with the problems surrounding the oil-for-food programme for Iraq, reached consensus on a draft resolution sponsored by the five permanent members of the Security Council allowing for a six-month extension of the programme and for the later adoption of the "goods review list" and further modification of the sanctions regime. The adoption of resolution 1382 (2001) can be seen as progress on the difficult problems facing the Council in dealing with its relationship with Iraq.

10. The Security Council, through a series of actions, including a meeting at the Ministerial level and the issuing of a declaration contained in resolution 1377 (2001), continued to exercise its leadership in support of the counter-terrorism activities of the United Nations. This meeting, chaired by the Foreign Minister of Jamaica, confirmed the Council's resolve on this issue. During the month of November, the Counter-Terrorism Committee continued to establish procedures for implementation of resolution 1373 (2001) and to engage Member States in seeking their cooperation.

11. The Council received useful briefings from the Presidents and the Prosecutor of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. The briefings provided an opportunity for Council members to seek clarification on a number of issues related to the work of the Tribunals and to express their concerns on a number of related issues. The information provided in the reports and the briefings should allow for further examination by the Council of the functioning of the Tribunals, including action on the request by the President of the International Criminal Tribunal for Rwanda for the Council's approval of ad litem judges.

12. In keeping with the recommendations of the Brahimi panel to improve the effectiveness of United Nations peacekeeping operations, the Security Council working group on peacekeeping operations continued in its efforts to promote an improved triangular relationship between the Security Council, the troop-contributing countries and the Secretariat. The working group continued to seek ways to build on the gains achieved through resolutions 1327 (2000) and 1353 (2001), giving full recognition of the role of troop-contributing countries to the effective implementation of peacekeeping mandates.

13. The Council had an opportunity, at the expert level, to examine ways to improve its annual report to the General Assembly in a meeting of the working group on documentation and procedures convened for that purpose.

14. Our delegation notes that while the peace processes in Western Sahara and in the Middle East made very little progress during the month there are opportunities for peace being pursued in these areas:

(a) In the case of Western Sahara, the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) for a period of three months. We urge the Special Envoy of the Secretary-General to use this period to engage the parties fully in seeking a solution to this issue;

(b) The Council, without any progress reported on the issues related to Israel's occupation of Syria's Golan Heights, adopted resolution 1380 (2001) extending the mandate of the United Nations Disengagement Observer Force (UNDOF);

(c) As to the Middle East, including the question of Palestine, we note the efforts being undertaken outside of the Council and hope that progress can be achieved. We also note with regret the lack of progress so far in bringing peace to the region as well as the Council's inability to assist in that process. It is important for the Council to be kept fully apprised of the efforts being carried out and we are hopeful that the Council will be able, at some stage of the process, to pursue a constructive role in bringing peace to the Middle East.

15. During Jamaica's Presidency, we continued to promote further transparency in the work of the Security Council through scheduling of meetings of the Council in the format of open debates and briefings and allowing for participation of non-Council members, where appropriate. The President also provided briefings to Member States not members of the Council and held private meetings with affected and interested Member States as well as with NGOs on our own initiative, as appropriate, or as requested by them. While we consider these ongoing efforts to be useful, we urge the Council to find more ways to make transparency in the work of the Council a non-issue among Member States. We look forward to the Council following up on suggestions made during the wrap-up session to further enhance transparency in the work of the Council.

16. We are pleased that a new Presidential web site has been established to provide easy access to up-to-date information on the work of the Security Council and the decisions taken in the Council. We thank the Secretariat for its quick response to this request.

17. Our thanks to the members of the Council and the Secretariat for their cooperation and assistance in carrying out the work of the Council during one of its busiest months.

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Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 30 November 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest incident in the ongoing campaign of Palestinian terror directed against Israel.

At approximately 8.45 p.m. (local time) last night, a Palestinian suicide bomber blew himself up aboard an intercity public bus en route from Nazareth to Tel Aviv. Three Israelis were killed and nine others wounded in the blast, which ripped apart the bus and sent debris flying tens of yards down the highway.

In a separate incident yesterday, Palestinian gunmen shot and killed St.-Sgt. Yaron Pikholtz, age 20, near the town of Tulkarm. Another soldier standing nearby suffered moderate-to-serious wounds after being shot in the thigh and shoulder.

Yesterday's attacks represent the latest incident in the continuing campaign of Palestinian terrorism directed against Israeli civilians. Previous attacks have been detailed in my letters dated 27 November 2001 (A/56/663-S/2001/1121), 12 November 2001 (A/56/617-S/2001/1071), 5 November 2001 (A/56/604-S/2001/1048), 24 October 2001 (A/56/506-S/2001/1011), 19 October 2001 (A/56/492-S/2001/990), 17 October 2001 (A/56/483-S/2001/975), 8 October 2001 (A/56/450-S/2001/948), 5 October 2001 (A/56/444-S/2001/943), 3 October 2001 (A/56/438-S/2001/938), 24 September 2001 (A/56/406-S/2001/907), 20 September 2001 (A/56/386-S/2001/892), 17 September 2001 (A/56/367-S/2001/875), 7 September 2001 (A/56/346-S/2001/858), 4 September 2001 (A/56/331-S/2001/840), 30 August 2001 (A/56/325-S/2001/834), 27 August 2001 (A/56/324-S/2001/825), 13 August 2001 (A/56/294-S/2001/787), 9 August 2001 (A/56/286-S/2001/780), 8 August 2001 (A/56/280-S/2001/775), 6 August 2001 (A/56/272-S/2001/768), 27 July 2001 (A/56/225-S/2001/743), 26 July 2001 (A/56/223-S/2001/737), 17 July 2001 (A/56/201-S/2001/706), 13 July 2001 (A/56/184-S/2001/696), 3 July 2001 (A/56/138-S/2001/662), 2 July 2001 (A/56/131-S/2001/656), 21 June 2001 (A/56/119-S/2001/619), 19 June 2001 (A/56/98-S/2001/611), 18 June 2001 (A/56/97-S/2001/604), 13 June 2001 (A/56/92-S/2001/585), 11 June 2001 (A/56/91-S/2001/580), 4 June 2001 (A/56/85-S/2001/555), 30 May 2001 (A/56/81-

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S/2001/540), 25 May 2001 (A/56/80-S/2001/524), 18 May 2001 (A/56/78-S/2001/506), 11 May 2001 (A/56/72-S/2001/473), 9 May 2001 (A/56/69-S/2001/459), 1 May 2001 (A/55/924-S/2001/435), 23 April 2001 (A/55/910-S/2001/396), 16 April 2001 (A/55/901-S/2001/364), 28 March 2001 (A/55/863-S/2001/291), 27 March 2001 (A/55/860-S/2001/280), 26 March 2001 (A/55/858-S/2001/278), 19 March 2001 (A/55/842-S/2001/244), 5 March 2001 (A/55/821-S/2001/193), 2 March 2001 (A/55/819-S/2001/187), 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

In a joint statement, Islamic Jihad and Palestinian Authority Chairman Yassir Arafat's own Fatah faction claimed responsibility for the attack. It should be noted that Islamic Jihad has its headquarters in Damascus and receives financial assistance from Iran and logistical assistance from Syria. This is the second lethal terrorist attack committed this week for which these groups have jointly claimed responsibility, a fact which underscores the depth of cooperation between forces under the authority of the Palestinian Authority and other violent terrorist organizations that owe their existence to the support provided by neighbouring States, in blatant violation of Security Council resolution 1373 (2001) and established principles of international law.

Moreover, this attack occurred while Palestinian negotiators were meeting with American envoys in the hopes of ending more than 14 months of violence. It is intolerable that the Palestinian leadership is engaging in negotiations to achieve a ceasefire at the same time as elements under its authority are perpetrating deadly acts of terrorism against innocent Israeli civilians. Any effort to restore calm to the region will be completely undermined if the Palestinian leadership continues to avoid taking the action necessary to bring a complete cessation to acts of violence, terror and incitement.

Israel calls upon the Palestinian leadership to abide by its signed commitments to renounce the use of terrorism and violence and to resolve all outstanding issues through negotiations. Israel further calls upon the international community to exert maximum pressure on all States and entities that support terrorism, or are actively engaged in terrorist operations, to ensure their compliance with international law.

I should be grateful if you would arrange to have the text of this letter circulated as an official document of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

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Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 3 December 2001 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General

On the instruction of my Government, I have the honour to transmit to you herewith the text of the Declaration and Action Plan adopted by the Warsaw Conference on Combating Terrorism, held in Warsaw on 6 November 2001, on the initiative of Aleksander Kwaśniewski, President of the Republic of Poland (see annex).

I should be grateful if you would have the Declaration and Action Plan distributed as a document of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Janusz **Stańczyk**
Ambassador
Permanent Representative

01-67453 (E) 051201

Annex to the letter dated 3 December 2001 from the Permanent Representative of Poland to the United Nations addressed to the Secretary-General

Declaration of the Warsaw Conference on Combating Terrorism

November 6th, 2001

We, the Heads of State of Central, Eastern and South-Eastern Europe, have gathered in Warsaw, November 6th, 2001, and have exchanged views on our common experience of the 20th century, including the successful struggle to regain freedom, liberties and to enjoy transformation to democracy and prosperity. We pledge to stay united with other countries in condemning the covert and hideous attack on September 11th, 2001, against the United States, in which thousands of innocent people of different nationalities were killed or injured. We stand by the American nation, just as they supported us in our struggle for freedom.

We express our denouncement of international terrorism's utter disregard for innocent life.

We want to stress that fight against international terrorism we see as a war between humanity and barbarism, and not between different religions or cultures.

We strongly believe that this attack against the United States of America was an assault on basic freedoms and security of all the people of our world.

We, the Heads of State of Central, Eastern and South-Eastern Europe, being responsible for the security and freedom of our people, firmly pledge to implement various ways and means to fight terrorist activities in our regions or elsewhere and to support any necessary action to stamp out terrorist organisations, so that there are no safe havens for terrorists anywhere.

We unconditionally support the action being taken against terrorism in all its aspects within the framework defined by the United Nations and by other international organisations, in particular by the European Union which, by the means of the so far proclaimed documents unequivocally denounced any acts of international terrorism perpetrated against any nation. In particular we call upon all states to implement fully the requirements of UNSCR 1373 and 1333 and to ratify the 12 international conventions relating to terrorism.

We strongly encourage international organisations such as the UN, OSCE, Council of Europe and NATO to take necessary measures to assist in full implementation of relevant international conventions relating to international terrorism and pledge as member states to actively contribute to those efforts. In this respect we share position of the European Union, expressed *inter alia*, in the *Conclusions and Action Plan of the Extraordinary European Council* of September 21st, 2001, that far greater co-operation in international fora is needed to fight international terrorism. We welcome NATO's efforts among Allies and their

Partners to develop capabilities to defend against terrorism. We welcome the OSCE and the Council of Europe contributions to the fight against terrorism by resort to those Organisations' specific expertises. In order to harmonize our efforts in this field we have agreed to and adopted the „Action Plan" enumerating concrete spheres of co-operation our countries will pursue.

Our specific aim is to provide a regional dimension to the comprehensive worldwide efforts against this scourge of the 21st century. Nations of Central, Eastern and South-Eastern Europe stand united in their fight against terror - as long as it takes – by means of close co-operation with the United States, acting in concert with the rest of international community. Terrorists do not share values of democracy or freedom or justice as we do. In coalition we will be able to bring to account all those responsible for terrorist attacks, to better target terrorists organisations, their financial, communication and logistic networks and those who instigate, support, finance, train, equip and harbour them.

We must redouble our efforts in fighting international terrorism and devote more attention to study its sources. We do believe that existing regimes of export control, including arms and dual use items, can be implemented more efficiently, as well as far greater co-operation on non-proliferation issues is needed. We will ask our national agencies to take adequate steps in this respect, also in such fields like, for example, aviation, maritime security, law-enforcement and terrorist-financing. To promote mutual co-operation in the suppression of international terrorism we declare readiness to enhance intelligence sharing and co-operation, and to undertake other necessary measures in support of operations against international terrorism.

Enhancement of security measures is extremely urgent. Furthermore we believe that in many cases national legislation should be modified in order to strengthen institutions responsible for security matters (such as police, special services, immigration, etc.), while individual liberties also have to be protected. Democracy cannot imply that the state attacked by terrorists shall be defenceless. It has its inherent right to individual and collective self-defence.

Having met in Warsaw, we have initiated discussion on various methods to achieve this goal, using all the instruments at our disposal, both as individual states and as members of multilateral organisations. We believe that the swift enlargement of the European Union and the North Atlantic Treaty Organisation will make the fight with international terrorism more efficient. We have agreed to review the development and implementation of all initiatives accepted today at the Warsaw Conference at its next stage to be held next year, the venue and modalities of which will be determined in due course.

Our states and peoples fully identify with the efforts – political, military, economic, humanitarian and others - undertaken by the United States of America and its friends and allies, as we are the United States' friends and allies in the broad counter-terrorism coalition. Without hesitation we give our utmost support for the U.S.-led operations against terrorist targets.

Being resolved to make the counter-terrorism coalition strong and united, being convinced that the counter-terrorism coalition must be made as broad and efficient as possible in its diplomatic, financial, economic, law-enforcement, intelligence and military co-operation, the unity of our world is indispensable for the successful struggle with the cancer of international terrorism.

Once again, taking this opportunity, we convey our expressions of condolence and sympathy to the American people who suffered immense tragedy. At this difficult time, in the name of solidarity we stand united with the American nation. People around the world watched the shocking scenes from America realising that what happened to the US could happen anywhere else. Terrorism menace has no limits. These atrocities were targeted not only against the United States but also against the whole humanity. We are convinced that being strong together we shall defend all basic values of our world.

Democracies, open, free and plural, shall prevail.

* * *

The following states participated in the Conference:

Republic of Albania
Bosnia and Herzegovina
Republic of Bulgaria
Republic of Croatia
Czech Republic
Republic of Estonia
Republic of Hungary
Republic of Latvia
Republic of Lithuania
Republic of Moldova
Republic of Poland
Romania
Republic of Slovakia
Republic of Slovenia
Ukraine
Federal Republic of Yugoslavia
Former Yugoslav Republic of Macedonia

The Conference was also attended by high representatives of the Republic of Belarus, the Russian Federation, the Republic of Turkey the United States of America, and European Union (Presidency and Commission), United Nations, Organisation for Security and Co-operation in Europe, North Atlantic Treaty Organisation, as observers.

Action Plan of the Warsaw Conference on Combating Terrorism November 6th, 2001

We, the Heads of State of Central, Eastern and South-Eastern Europe participating in the Warsaw Conference on November 6th, 2001, hereafter referred to as the Participants, are determined to strengthen and unite our efforts in solidarity with the United States of America, other members of the North Atlantic Alliance and all those, who consider international terrorism as paramount threat of the 21st century. We have decided to give our full political support to this Action Plan.

The Participants have discussed proposals of activities and initiatives of regional co-operation to be implemented in the fight against international terrorism. They support the efforts undertaken by NATO and the EU, and express their readiness and commitment to co-operate to the fullest extent possible. They have also agreed to recommend to their Governments and strongly support the initiatives and instruments (intelligence, police co-operation, elimination of terrorist financing sources), as follows:

1. Express interest in deepening co-operation enabling them to provide quick and effective information exchange on possible sources of international terrorism and on terrorist threats, and to make a better use of contact points established at international institutions or the services of liaison officers;

2. Accept and promote the use of forms and methods in the struggle against international terrorism in accordance with the EU regulations and UNSC resolutions:

   a) **in the area of legislation, institutions and economy:** adoption of procedures and instruments (compatible or identical with EUROPOL procedures and focusing on adoption of the recommendations of the Financial Action Task Force – FATF and Egmont Group) to combat money laundering (co-operation between appropriate treasury and custom institutions), drug trafficking (co-operation of police and other state services), and increasing the level of international co-operation of these services;

   b) **in the area of exchange of information and intelligence:** strengthening of the co-operation among countries of anti-terrorist coalition on bilateral and multilateral bases. In addition to existing bilateral mechanisms of co-operation, we shall examine and analyse together the terrorists activities, including the means of joint gathering verifying and exchanging information and archive resources, and contribute to establishment of a uniform definition of „international terrorism". Participants shall share their

experience and knowledge regarding countries or groups suspected of being involved in international terrorism;

c) **in the area of the movement of persons, goods and information:** on the basis of current EU proposals, elaboration of uniform methods of passport control and customs clearance (co-operation between border and immigration services and police), including protection against illegal migration and movements of the extremist groups through the territories of the Participants' states;

d) **in institutional sphere:** making a better use of the existing co-operation frameworks, such as SECI Regional Center for Combating Trans-Border Crime and other multilateral institutions.

3. Agree to consider the convocation of a Conference on Tolerance and Education on Multiculturalism. The long term objective of this Conference is to map and co-ordinate the activities of academic institutions and NGOs that concentrate on race tolerance;

4. Agree to consider the idea of creation the International Research Institute on Terrorism;

5. Relying on existing UN and other institutions, Participants shall consider the establishment of the Aid Foundation for victims of terrorism all over the world, which may also support research on terrorism. We shall exchange information about its activities;

6. Participants shall exchange their experiences in the area of anti-terrorist units and rescue teams training. While taking note of the existing international antiterrorist training courses, we have agreed to consider the establishment of the Training Centre for such units and teams from countries participating in the Warsaw Conference. The program of the Centre would be based upon experiences of the specialised anti-terrorist units of EAPC and OSCE countries.

7. Participants shall implement a system to monitor the problems of international terrorism. Authorised persons and institutions shall review and report to their Heads of State and relevant authorities on a regular basis about the progress on combating international terrorism.

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Security Council

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Letter dated 3 December 2001 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to inform you of recent developments which may seriously jeopardize the entire peace process in the Democratic Republic of the Congo. These developments are as follows:

1. Refusal to demilitarize the city of Kisangani

The spokesman for the Rassemblement congolais pour la democratie based in Goma (RCD-Goma), an armed group identified in document S/2001/1072 (para. 123) as the creation of the Rwandan State, announced publicly that his armed group would not demilitarize the city of Kisangani, on the pretext that, in accordance with the laws in force in the Democratic Republic of the Congo, provincial governors had been appointed. This armed group interpreted this step as a violation of Security Council resolution 1376 (2001).

My Government wishes to recall the content of paragraph 3 of resolution 1376 (2001), in which the Council "*demands once again* that Kisangani be demilitarized rapidly and unconditionally in accordance with Security Council resolution 1304 (2000), *takes note* of the pledge by the RCD-Goma during the 4411th meeting of 9 November 2001 fully to demilitarize the city, *welcomes* the decision of the Secretary-General to further deploy MONUC personnel in this city, notably to contribute to the training of police, *stresses* that, once demilitarized, no party will be permitted to reoccupy the city militarily and *welcomes* in this regard the pledge by the Government of the Democratic Republic of the Congo, during the same meeting, to respect this provision".

The appointment of a governor for Orientale Province reflects the determination of His Excellency Major-General Joseph Kabila, President of the Republic, to reaffirm the integrity of the national territory and national sovereignty, in accordance with the spirit of Gaborone and the Declaration of Commitment embodying the republican pact, freely signed by all the Congolese parties at the preparatory meeting for the inter-Congolese dialogue.

Moreover, it is ridiculous to claim that a civil servant working in Kinshasa on the files relating to his province would go to occupy by military means the post to which he was assigned.

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This new manoeuvre by RCD-Goma, and its creator, Rwanda, is nothing more or less than a new delaying tactic. This armed group and aggressor State have used this legal and legitimate appointment as an excuse for not fulfilling their obligations deriving from resolutions 1304 (2000) and 1376 (2001).

2. Deployment of the Rwandan Patriotic Army

The Special Representative of the Secretary-General for the Democratic Republic of the Congo, Mr. Amos Namanga Ngongi, confirmed on Wednesday, 28 November 2001, that the Rwandan Patriotic Army (RPA) was reinforcing its troops in Isiro (Orientale Province), Fizi (South Kivu) and Kalemie (Katanga) and to that end was frantically recruiting young people, including adolescents. This deployment foreshadows a major confrontation in the region.

3. Resumption of fighting in areas under Ugandan control

Since the end of November 2001, following repeated provocations by the Ugandan armed forces (UPDF), responsible for all kinds of violations, unusually fierce fighting resumed in the Bunia region, causing the death of some 100 innocent people and the displacement of about 1,000 others towards the city of Bunia.

The Security Council will recall that it was in this area that UPDF orchestrated the disturbances which led to clashes between the Hema and Lendu tribes.

The Security Council will also recall that it was in this same area occupied by Uganda that national and international workers of the International Committee of the Red Cross (ICRC) were murdered in a cowardly manner on 26 April 2001.

4. Repression of workers in the occupied provinces

One week ago, employees of the State enterprises in the occupied provinces spontaneously began an unlimited strike to protest against the requisition of all monies received by these semi-public companies and against the suspension of collective agreements by RCD-Goma.

Not content simply to levy taxes and impose high customs duties on both the public and private sectors, as well as on humanitarian aid, in order to support their war effort since the fall in the price of COLTAN, RCD-Goma and Rwanda have clearly resolved to help themselves to the paltry means of subsistence of the inhabitants, who are bent under the yoke of the occupant.

Officials from RCD-Goma and Rwanda have carried out arrests in some enterprises and improper dismissals in others. In all cases, workers and their families are subject to frequent harassment by RCD-Goma and Rwanda.

All these deplorable facts must be denounced and condemned by the Security Council, for otherwise the United Nations is liable to be discredited for failing to react appropriately.

They confirm the obvious wish of Uganda and Rwanda to remain indefinitely in the territory of the Democratic Republic of the Congo in flagrant violation of the entire peace process begun in Lusaka. Their ultimate goal is to prevent the ensuing effective deployment of MONUC in order to pursue their armed aggression against the Democratic Republic of the Congo and their pillage of its natural resources and other forms of wealth.

In view of the foregoing, my Government again calls on the Security Council to assume its full responsibilities concerning the establishment and maintenance of peace and security in the Democratic Republic of the Congo, in particular by:

1. Demanding the immediate demilitarization of the city of Kisangani in accordance with all its relevant resolutions in that connection;

2. Demanding also the immediate withdrawal of Ugandan and Rwandan forces, in accordance with its resolution 1304 (2000) of 16 June 2000;

3. Accompanying its demand for the withdrawal of Ugandan and Rwandan forces from the territory of the Democratic Republic of the Congo with appropriate coercive measures, as permitted under Articles 39, 41 and 42 of the Charter of the United Nations;

4. Accelerating the deployment of MONUC, particularly by following up the offer made by Uganda at the 4411th meeting of the Security Council to withdraw from the areas under its control in Orientale Province if MONUC were deployed there, which would have the effect of diffusing the current tension;

5. Demanding also that Uganda and Rwanda show respect for human rights in the areas under their occupation and de facto control and allow access thereto, in full freedom and security, so that human rights violations and breaches of international human rights law can be investigated;

6. Demanding lastly an immediate halt to the illegal exploitation of the natural, human and material resources of the Democratic Republic of the Congo.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Atoki **Ileka**
Ambassador
Permanent Representative